

January 28, 2016

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. COMM. 2E-25 (2016)
COUNTY EXECUTIVE: “EC Sewer District Nos. 1, 4 & 5 - Engineer Term Contract Agreement - Work Order WS-5”
(6-0)

b. COMM. 2E-27 (2016)
COUNTY EXECUTIVE: “EC Sewer District No. 3 - Engineer Term Contract Agreement - Work Order DI-5”
(6-0)

c. COMM. 2E-28 (2016)
COUNTY EXECUTIVE: “EC Sewer District No. 6 - Engineer Term Contract Agreement - Work Order CRA-7”
(6-0)

d. COMM. 2E-31 (2016)
BURKE: “Letter to Legislature Chair Regarding Request for a Public Hearing on Local Law Intro. 5-1 (2015)”
(Chair’s Motion)
2. COMM. 2E-26 (2016)
COUNTY EXECUTIVE
WHEREAS, the State of New York through its DEC and EFC provides financial assistance through the Engineering Planning Grant program; and

WHEREAS, the State of New York has awarded Erie County a maximum of \$100,000.00 to commence the ECSD No. 3 Flow Monitoring & Infiltration/Inflow (I/I) Quantification Project; and

WHEREAS, a 20% minimum local match is required for the grant award; and

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to review under the Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie hereby determines that the proposed Flow Monitoring and I/I Quantification Project is a Type II action in accordance with 6 NYCRR Section 617.5 (c) (18) and (21) and therefore is not subject to further review under 6 NYCRR Part 617; and be it further

RESOLVED, that the County Executive is authorized to execute a Grant Agreement with the DEC or EFC for the project; and be it further

RESOLVED, that the Deputy Commissioner in the Division of Sewerage Management be authorized to execute all other contracts, documents and instruments with the DEC or EFC to bring about the Project and to fulfill the obligations under the Engineering Planning Grant Agreement; and be it further

RESOLVED, that a minimum of 20% local match as required by the Engineering Planning Grant Program for the project will be provided through ECSD No. 3 Accounts; and be it further

RESOLVED, that upon award of an Engineering Agreement for the project and a determination of final scope and budget, the grant budget shall be adjusted with the understanding that the local match share shall be at a minimum 20%; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to the County Executive, the County Comptroller, the Director of the Division of Budget and Management, Kristen Walder, Assistant County Attorney, Joseph L. Fiegl, P.E., Deputy Commissioner of the Department of Environment and Planning; and the Albany offices of the New York State DEC and EFC.
(6-0)

3. COMM. 2E-29 (2016)
COUNTY EXECUTIVE
WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent, is the preparation of the annual program application materials, and submittal of same to the federal Department of Housing and Urban Development; and

WHEREAS, the Erie County Community Development Block Grant Consortium and HOME Consortium approved the 2016 Action Plan at their session held on January 28, 2016.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit this resolution to the United States Department of Housing and Urban Development (HUD) as supportive material to the 2016 Annual Action Plan for the Community Development, Emergency Solutions, and Home Investment Partnership Programs having estimated dollar amounts as indicated.

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| 1. Erie County Consortium Community Development Program: | \$2,685,297 |
| 2. Emergency Solutions Program: | \$ 215,143 |
| 3. HOME Investment Partnership Program: | \$ 591,737 |
| 4. Town of Hamburg Community Development Program: | \$ 380,000 |
- and be it further

RESOLVED, that the County Executive on behalf of the Erie County Community Development Consortium and Town of Hamburg/Erie County HOME Consortium is hereby authorized to submit and execute any and all applications and agreements with HUD, local governments, property owners receiving housing assistance, non-profit, and for-profit agencies, which are necessary to implement the above programs with the exception that any proposed agreement that transfers all or a portion of the administrative functions of the program from Erie County to a sub-recipient or contractual agency shall require approval from the Erie County Community Development Consortium and the Erie County Legislature; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all HOME Agreements with property owners participating in County housing programs assisted with federal HOME Investment Partnership funds; and be it further

RESOLVED, that the Commissioner of the Department of Environment and Planning is hereby authorized to execute any and all discharges of Erie County Note and Mortgages and/or Lien documents associated with any and all Erie County Housing Programs funded through the federal Community Development Block Grant and/or HOME Investment Partnership Programs; and be it further

RESOLVED, that copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.

(6-0)

4. COMM. 2E-30 (2016)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry desires to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2015-2016 snowmobile season in the amount not to exceed \$184,475; and

WHEREAS, this agreement with the State shall pertain to such maintenance as performed by the individual Snowmobile Clubs of Erie County on club trails located outside County-owned lands as well as on trails located in Erie County Parks and Forestry lots.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$184,475 as pertains to snowmobile trail maintenance performed during the 2015-2016 snowmobile season; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the individual Snowmobile Clubs of Erie County for a total amount not to exceed \$184,475 for the purpose of snowmobile trail maintenance on club trails during the 2015-2016 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

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|------------------------------------|-----------------|
| Colden Trail Riders Inc. | \$20,320 |
| Eden Trail Blazers Inc. | \$10,720 |
| Grand Island Snowmobile Club Inc. | \$ 5,695 |
| Hamburg Snowmobile Club Inc. | \$21,145 |
| Holland Sno-Rascals Inc. | \$23,405 |
| Marilla Sno-Mob Inc. | \$16,330 |
| Northern Erie Snowseekers Inc. | \$20,435 |
| Pioneer Sno-Surfers Inc. | \$12,610 |
| Southern Tier Snowdrifters Inc. | \$20,795 |
| WNY Snowmobile Club of Boston Inc. | <u>\$33,020</u> |
| | \$184,475 |

and be it further

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, cost center 1641010, account 409010, in the amount of \$184,475, as well as an increase in appropriations in the amount of \$184,475, in the Division of Parks,

fund 110, cost center 1641010, account 516020, in order that funds may be available to make payment to the individual clubs of the Erie County Federation of snowmobile Clubs; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget, Management and Finance, the Office of the Erie County Comptroller and Assistant County Attorney, Kristen Walder, of the Law Department.

(6-0)

TED B. MORTON
CHAIR